

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2660

IN THE MATTER OF:

Served February 1, 1985

Application of INTERNATIONAL)
LIMOUSINE SERVICE, INC., to Remove)
Multiple Vehicle Restriction in)
Certificate No. 38)

Case No. AP-84-41

By application filed October 12, 1984, International Limousine Service, Inc., (ILS or applicant) seeks an amendment of Certificate of Public Convenience and Necessity No. 38 issued to ILS pursuant to Order No. 2187, served January 26, 1981. Certificate No. 38 authorizes the following transportation:

CHARTER OPERATIONS, over irregular routes, transporting passengers and their baggage in the same vehicle with passengers between points in the Metropolitan District.

RESTRICTED: (a) to transportation in vehicles with a manufacturer's designed seating capacity for 16 to 21 passengers (including the driver), (b) against transportation to or from Washington National Airport except as performed in connection with a prearranged charter movement by the same party between at least two other points in the Metropolitan District, (c) against the use of more than one vehicle in any one day for transporting the same group, (d) against transportation described in Commission Regulation No. 70-01, and (e) against operations between points solely in Virginia.

By its application, ILS proposes the elimination of restriction (c) which prohibits its transporting a single group in multiple vehicles. Disposition of such applications is governed by the Compact, Title II, Article XII, Section 4(g) which provides, inter alia, that ". . . any such certificate, may, upon application of the holder thereof, in the discretion of the Commission, be amended. . . ."

By motion filed December 11, 1984, ILS seeks to proceed under Commission Rule of Practice and Procedure No. 22-01 and in connection therewith waived its right to public hearing. Applicant submitted an affidavit that it published notice of its application as directed and an affidavit stating that notice had been placed in its vehicles. No protests were filed in this matter.

Upon ILS' motion, the Commission ordered that the hearing set for December 13, 1984, be cancelled and directed ILS to submit additional information.

ILS submitted three affidavits in support of its application. The first of these affidavits was from Mr. Eugene I. Kane, President of ILS and of its parent organization E.I. Kane, Inc. Mr. Kane stated that the restriction prohibiting multiple vehicle use had resulted in inconvenience to customers of ILS and reduced ILS' opportunity to earn a return on its investment. He further stated that on numerous occasions ILS has customers request multiple vehicles for the same jobs. Because of the restriction on Certificate No. 38 ILS has been unable to provide satisfactory service to these individuals. Mr. Kane said that the restriction has had an adverse impact on ILS' ability to obtain and keep business. In the past few years ILS had suffered substantial losses, and, while this year's financial position appears to be improved, ILS believes that removing this restriction would provide for more efficient operations, improved financial position and increased customer satisfaction.

Mr. Kane attached a projected statement of revenues and expenses to his affidavit. This document indicates that, if the restriction were removed, additional revenues of \$27,300 would be received. Mr. Kane stated that ILS has the ability and the equipment to provide the proposed service, and that an additional vehicle will be purchased if the application is approved.

A second affidavit came from Jeanette Fulks, President of TS&R Services, which is located at the Washington Hilton Hotel in Washington, D.C. Ms. Fulks stated that she had been in the transportation business since 1977, and that she had often used the services of ILS and found them to be courteous and efficient. On occasion she has had the need for more than one 20-passenger minibus on the same job. She states that the restriction against multiple vehicle moves had caused her and her customers inconvenience. She supports the application of ILS to remove this restriction and would use the service on numerous occasions if the restriction is removed.

A third affidavit from Yvonne Seay, Administrative Services Manager for GTE Service Corporation in Washington, D.C., was submitted. Ms. Seay states that she has been involved in the transportation business for eight years, has used ILS on numerous occasions, and has always found it polite and professional. Her affidavit states that her company frequently uses ILS' 20-passenger minibuses, but that the multiple vehicle restriction had frequently inconvenienced her company. Often they prefer to use two minibuses rather than one coach or other vehicle combination.

ILS operates equipment suitable for the proposed operations. The affidavits of witnesses indicate that there is a need for the


service applicant requests. Applicant has proposed no change in its tariff, and an appropriate certificate of insurance is on file. Based on this evidence, the Commission finds that amendment of Certificate No. 38 as requested by applicant is warranted.

THEREFORE, IT IS ORDERED:

1. That the above-referenced application of International Limousine Service, Inc., to remove a restriction against multiple vehicle movements is hereby granted.

2. That an appropriately revised Certificated No. 38 be issued.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS WORTHY, SCHIFTER AND SHANNON:


WILLIAM H. MCGILVERY
Executive Director

